

In re Patent Application of

Atty Dkt. 1577-172

C# M#

OLLERENSHAW et al

JAN 15 2004

Group Art Unit: 1615

Serial No. 10/067,331

Examiner: Fubura, B.

Filed: February 7, 2002

Date: January 15, 2004

Title: VASCULAR COATING COMPOSITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUBMISSION

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered , filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
MJW:tat

NIXON & VANDERHYE P.C.
By Atty: Mary J. Wilson, Reg. No. 32,955

Signature: Mary J. Wilson



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF Confirmation No. 4595
OLLERENSHAW et al Atty. Ref.: 1577-172
Serial No.: 10/067,331 Group: 1615
Filed: February 7, 2002 Examiner: Fubura, B.
For: VASCULAR COATING COMPOSITION

* * * * *

January 15, 2004

SUBMISSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Verified Statement
(Declaration) Claiming Small Entity Status relating to the
above-identified application.

Respectfully submitted,

NIXON & VANDERHYE, P.C.

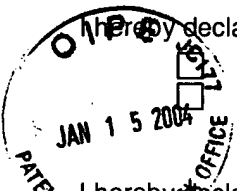
By Mary J. Wilson
Mary J. Wilson
Reg. No. 32,955

MJW:tat

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

Applicant or Patentee: OLLERENSHAW et al Attorney's Dkt. No. 1577-172
 Serial or Patent No.: 10/067,331
 Filed or Issued: February 7, 2002
 For: VASCULAR COATING COMPOSITION

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
 STATUS [37 CFR 1.27(a)(2)] - SMALL BUSINESS CONCERN**



I hereby declare that I am
 the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:
 NAME OF CONCERN CRYOLIFE, INC.
 ADDRESS OF CONCERN 1655 Roberts Boulevard, NW, Kennesaw, Georgia 30144
 I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13
 CFR 121.802, and in 37 CFR 1.27(a)(2), for purposes of paying reduced fees under section 41(a) and (b) of Title 35,
 United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500
 persons. For purposes of this statement (1) the number of employees of the business concern is the average over the
 previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the
 pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern
 controls or has the power to control the other, or a third party or parties controls or has the power to control both.
 I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern
 identified above with regard to the invention, entitled:

VASCULAR COATING COMPOSITION

by inventors OLLERENSHAW et al described in
☐ the specification filed herewith.
☒ application Serial No. 10/067,331, filed February 7, 2002
☐ patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each person, concern or organization
 having rights to the invention is listed below* and no rights to the invention are held by any person who could not qualify
 as a person under 37 CFR 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37
 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Name _____
 Address _____
☐ Person ☐ Small Business Concern ☐ Nonprofit Organization

Name _____
 Address _____
☐ Person ☐ Small Business Concern ☐ Nonprofit Organization

*Separate verified statement is requested from each person, concern or organization named immediately above having
 rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this application of patent, notification of any change in status resulting in loss of
 entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance
 fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.27(g)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on
 information and belief are believed to be true; and further that these statements were made with the knowledge that willful
 false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the
 United States Code, and that such willful false statements may jeopardize the validity of the application, any patent
 issuing thereon, or any patent to which this verified statement is directed.

NAME OF INDIVIDUAL SIGNING Kirby S. Black
 TITLE IN ORGANIZATION Senior Vice President, Research and Development
 ADDRESS OF INDIVIDUAL SIGNING 1655 Roberts Boulevard NW, Kennesaw, GA 30144 USA
 SIGNATURE Kirby S. Black DATE January 5, 2004